

Message

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**From:** Hesterlee, Craig [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9168D8DD301C48D880DDC8A53466FB70-HESTERLEE, CRAIG]  
**Sent:** 3/17/2022 8:19:36 PM  
**To:** Shell, Karrie-Jo [Shell.Karrie-Jo@epa.gov]  
**Subject:** FW: Rayonier - FW: cathy.barnette@dnr.ga.gov sent you January 28, 2022 Board of Natural Resources Recording via WeTransfer

KJ- are you our NPDES POC on the Rayonier permit (I think there is more than one in GA)?

Craig Hesterlee, Chief  
NPDES Permitting Section  
EPA Region 4 Water Division  
404.562.9749

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**From:** Wetherington, Michele <Wetherington.Michele@epa.gov>  
**Sent:** Thursday, March 17, 2022 3:38 PM  
**To:** Hesterlee, Craig <Hesterlee.Craig@epa.gov>; Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>  
**Subject:** Rayonier - FW: cathy.barnette@dnr.ga.gov sent you January 28, 2022 Board of Natural Resources Recording via WeTransfer

DNR meeting transcript below.

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**From:** Hutton Brown <hbrown@selcga.org>  
**Sent:** Thursday, March 17, 2022 3:29 PM  
**To:** Wetherington, Michele <Wetherington.Michele@epa.gov>  
**Cc:** Megan Huynh <mhuynh@selcga.org>  
**Subject:** Fw: cathy.barnette@dnr.ga.gov sent you January 28, 2022 Board of Natural Resources Recording via WeTransfer

Michelle, thank you very much for talking to me just now. As we discussed, we have been told the Rayonier permit will be coming out for comment in April sometime. As we also discussed, EPD has publicly announced that it is going to continue to apply the narrative WQS with an unreasonableness standard even though EPA rejected that revision and, in fact, Georgia withdrew the word "unreasonably" in response to EPA's action and the DNR board approved Georgia's revision of the rule without the word. I am forwarding a recording of the DNR meeting where this was discussed and voted on, and in this meeting the water director Jac Capp says they will effectively be ignoring EPA's disapproval. The recording of that part of the meeting begins at the 53-minute mark, and we have transcribed the relevant part below.

As I mentioned, we don't see how this could possibly be legal. We hope that EPA will closely scrutinize this permit. The Rayonier facility has long been one of the environmental scourges in Georgia, and this is therefore much more than an academic matter. I am happy to talk to anyone at any time about this.

Thanks again,

Hutton

"We did have a few things that we had adopted previously and submitted to EPA for their approval and caught a couple of snags and so we're coming back and we're doing a little bit of clean up there.

The first item is about six years ago we were involved in a permit dispute with some members of the public and that dispute hinged on an interpretation of whether our water quality standards had a reasonableness standard or not. And the agencies interpretation was that there was a reasonableness standard built into the statute. An environmental group felt differently and that led us to come to the board and explicitly include a reasonableness standard in the text. To make a long story short, we went through that litigation and EPD prevailed completely and so that is the good news.

We had a little bit of trouble getting EPA to agree to the insertion of the word unreasonably into the rule. And so we're coming back now and taking that out. So the court decision that we have, it applies statewide. It's law. So that will be the interpretation of our rules going forward. But we're coming back and taking that word out of the rules and anticipate them getting the approval. "

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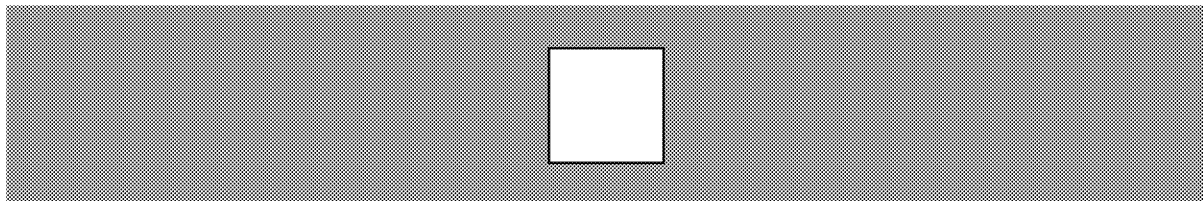
**From:** WeTransfer <noreply@wetransfer.com>

**Sent:** Thursday, March 17, 2022 2:31 PM

**To:** Hutton Brown <hbrown@selcga.org>

**Subject:** [cathy.barnette@dnr.ga.gov](mailto:cathy.barnette@dnr.ga.gov) sent you January 28, 2022 Board of Natural Resources Recording via WeTransfer

FILE



[cathy.barnette@dnr.ga.gov](mailto:cathy.barnette@dnr.ga.gov)  
sent you January 28, 2022 Board of  
Natural Resources Recording

1 item, 126 MB in total • Expires on 24 March, 2022

**January 28, 2022 Board of Natural Resources Recording** The meeting  
begins at the 40:00 mark.

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## 1 item

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